

Australian Capital Territory National Land (Road Transport) (Parking Legislation, Fees and Permits) Rules 2021

I, Nola Marino, Assistant Minister for Regional Development and Territories and Parliamentary Secretary to the Deputy Prime Minister and Minister for Infrastructure, Transport and Regional Development, make the following rules.

Dated 3 June 2021

Nola Marino

Assistant Minister for Regional Development and Territories  
Parliamentary Secretary to the Deputy Prime Minister and Minister for Infrastructure, Transport and Regional Development

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1 Name

This instrument is the *Australian Capital Territory National Land (Road Transport) (Parking Legislation, Fees and Permits) Rules 2021*.

2 Commencement

(1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

| Commencement information | | |
| --- | --- | --- |
| Column 1 | Column 2 | Column 3 |
| Provisions | Commencement | Date/Details |
| 1. Sections 1 to 9 and anything in this instrument not elsewhere covered by this table | The day after this instrument is registered. | 17 June 2021 |
| 2. Schedule 1, Part 1 | The day after this instrument is registered. | 17 June 2021 |
| 3. Schedule 1, Part 2 | 1 July 2021. | 1 July 2021 |

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

(2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *National Land (Road Transport) Ordinance 2014*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

5 Definitions

In this instrument:

***Ordinance*** means the *National Land (Road Transport) Ordinance 2014*.

6 ACT paid parking legislation

For the purposes of paragraph (b) of the definition of ***ACT paid parking legislation*** in section 5 of the Ordinance, the ACT laws mentioned in the following table are declared to be part of the ACT paid parking legislation.

| ACT paid parking legislation | |
| --- | --- |
| Item | Column 1  ACT laws |
| 1 | The following provisions of the *Road Transport (Safety and Traffic Management) Regulation 2017* (ACT):  (a) section 28 (Metered parking schemes);  (b) section 29 (Metered parking areas);  (c) section 35 (Ticket parking schemes—road transport authority);  (d) section 41 (Parking tickets);  (e) section 72 (Overlapping schemes). |
| 2 | The following provisions of the *Road Transport (Road Rules) Regulation 2017* (ACT):  (a) section 213F (Temporary closure of metered parking space);  (b) section 213O (Temporary closure of ticket parking space and area). |

7 ACT paid parking support legislation

For the purposes of paragraph (b) of the definition of ***ACT paid parking support legislation*** in section 5 of the Ordinance, the ACT laws mentioned in the following table are declared to be part of the ACT paid parking support legislation.

| ACT paid parking support legislation | |
| --- | --- |
| Item | Column 1  ACT laws |
| 1 | The following provisions of the *Road Transport (Safety and Traffic Management) Regulation 2017* (ACT):  (a) section 64 (Parking permits);  (b) section 66 (Parking permits and mobility scheme parking authorities—cancellation);  (c) section 67 (Parking permits and mobility parking scheme authorities—return when cancelled);  (d) section 68 (Marking tyres by parking inspectors). |
| 2 | The following provisions of the *Road Transport (Road Rules) Regulation 2017* (ACT):  (a) section 307 (Stopping and parking exemption—police or emergency vehicle or authorised person);  (b) section 346A (Preventing prescribed traffic control device being clearly visible). |

8 Modification in relation to fee determinations

For the purposes of subparagraph 11(2)(b)(i) of the Ordinance, section 96 of the *Road Transport (General) Act 1999* (ACT) applies to National Land as if subsection (3) of that section were replaced with the following subsection:

(3) A determination is a legislative instrument (within the meaning of the *Legislation Act 2003* (Commonwealth)).

9 Modifications in relation to parking permits

(1) For the purposes of subparagraph 11(2)(b)(i) of the Ordinance, section 64 of the *Road Transport (Safety and Traffic Management) Regulation 2017* (ACT) applies to National Land as if subsection (1) of that section were replaced with the following subsection:

(1) The road transport authority (including the NCA chief executive within the meaning of the *National Land (Road Transport) Ordinance 2014* (Commonwealth)) may issue a permit (a ***parking permit***) of a kind mentioned in subsection (2) authorising the parking of a vehicle, with or without charge:

(a) on a length of road or in an area designated by a permit zone sign for use by holders of that kind of parking permit; or

(b) on a length of road or in an area determined by the road transport authority.

(2) For the purposes of subparagraph 11(2)(b)(i) of the Ordinance, section 64 of the *Road Transport (Safety and Traffic Management) Regulation 2017* (ACT) applies to National Land as if the following paragraphs were inserted after paragraph (2)(f) of that section:

(fa) a construction zone permit;

(fb) a national institution volunteer permit;

Schedule 1—Repeals

Part 1—Repeals commencing day after registration

Parking Permit Rule 2014

1 The whole of the instrument

Repeal the instrument.

Part 2—Repeals commencing 1 July 2021

Parking Permit Fees Rule 2020

2 The whole of the instrument

Repeal the instrument.

Pay Parking Fees Rule 2020

3 The whole of the instrument

Repeal the instrument.